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K Davis  
PATENT  
7-31-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Gogerty, Joseph Kevin  
SERIAL NO : 09/760,324  
FILED : January 12, 2001  
TITLE : HYBRID MAIZE PLANT & SEED 34N16

Grp./A.U. : 1638  
Examiner : Fox, D.  
Conf. No. : 26862  
Docket No. : P04811US0

## AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated February 27, 2002, please consider the following remarks.

In the Specification

Please replace the paragraph at page 37, beginning at line 32 with the following:

With the advent of molecular biological techniques that have allowed the isolation and characterization of genes that encode specific protein products, scientists in the field of plant biology developed a strong interest in engineering the genome of plants to contain and express foreign genes, or additional, or modified versions of native or endogenous genes (perhaps driven by different promoters) in order to alter the traits of a plant in a specific manner. Such foreign, additional and/or modified genes are referred to herein collectively as "transgenes". Over the last fifteen to twenty years several methods for producing transgenic plants have been developed, and

## CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(a)(3))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9306, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 29th day of July, 2002.

Heidi S. Nebel